

Clarke County

PLANNING COMMISSION BRIEFING MEETING MINUTES TUESDAY, FEBRUARY 2, 2016



A briefing meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Tuesday, February 2, 2016.

ATTENDANCE

Present: George L. Ohrstrom, II; Robina Bouffault; Randy Buckley; Scott Kreider; Douglas Kruhm; Frank Lee; Gwendolyn Malone; Jon Turkel; Cliff Nelson; Mary Daniel

Absent: Anne Caldwell

Staff Present: Brandon Stidham, Planning Director; Ryan Fincham, Senior Planner/Zoning Administrator

Others Present:

CALLED TO ORDER

Chair Ohrstrom called the meeting to order at 3:00.

AGENDA

Commissioners approved the meeting agenda by consensus.

Mr. Stidham provided an overview of the items for the February 2 regular meeting. He distributed a draft Resolution of Appreciation for John Staelin for the members' consideration. Chair Ohrstrom suggested including a clause to recognize Mr. Staelin's efforts in the field of water resources over the years for Clarke County. Mr. Stidham said that he would work with Ms. Teetor to add the appropriate language.

Mr. Stidham gave a brief update on the two text amendments advertised for Public Hearing – Public Outdoor Recreation Facility Lighting (TA-16-01) and Streambank Protection Regulations (TA-16-02). He reported that Staff has received no comments from citizens so far on the text amendments.

Mr. Fincham reviewed the Weiss minor subdivision application (MS-16-01). He noted that the new proposed lot would be created at the end of Bristow Lane, an existing private access easement. He said that the surveyor will include a note on the plat stating that the applicant will make any required improvements to the road prior to issuance of a certificate of occupancy. He added that Bristow Lane is a solidly constructed road but that it is unclear whether it meets the design requirements for private access easements. Chair Ohrstrom asked for clarification regarding whether the conditional approval

extends until issuance of the certificate of occupancy. Mr. Fincham replied that the conditional approval extends to the remaining VDOT and Health Department items and the inclusion of the note on the final plat regarding required improvements to Bristow Lane.

Mr. Fincham reviewed the Casey boundary line adjustment application (BLA-16-01). He stated that the Commission typically does not review boundary line adjustments. However in this case, the applicant is requesting an exception to the rule that a residential lot under 20 acres in size cannot be increased in size through boundary line adjustment with an agricultural lot 20 acres or larger. One of the exceptions allows such boundary line adjustments if the land being transferred has low-quality land characteristics using the LESA scoring system. In this case, the land being transferred does qualify as low-quality land. The Planning Commission is required to act on any boundary line adjustments that use such exceptions and will need to take action on this application. Mr. Fincham noted that the boundary line adjustment is being sought because the applicant's drainfield is located on the neighboring property. He added that the applicant is currently working with the Health Department on review of the drainfield as it has some undocumented issues, and that Staff recommends conditional approval subject to Health Department approval. Chair Ohrstrom asked if the Health Department approval is a big contingency for a conditional approval. Mr. Fincham replied that the Commission is being asked to authorize use of the boundary line adjustment exception based on the LESA score and that he will not sign the final plat without the Health Department's approval. Mr. Lee asked about the age of the septic system and Mr. Fincham replied that it was installed in 1958. Mr. Lee added that it is probably a good idea for the drainfield to be located on the subject property.

Mr. Stidham introduced "Other Business" item for Friday – discussion of the Telecommunications Subcommittee's work on the monopole regulations. He stated that the Subcommittee wanted to get feedback from the full Commission on the possibility of increasing the maximum height of monopoles, as well as how development of a draft text amendment should be coordinated with a possible telecommunications engineering study that would potentially be undertaken in the summer. He noted that questions for discussion are included in the packet and he also distributed copies of the County's tower inventory map.

Ms. Bouffault asked if the Board of Supervisors has authorized Staff to hire a telecommunications consultant. Mr. Stidham replied that he has been directed to begin work on the procurement and scope of work but that he would need the Board to take separate action to authorize issuance of a request for proposals (RFP). Ms. Bouffault asked if the Board has provided direction on how the RFP should be written. Mr. Stidham replied that they did not but that Staff has prepared a budget request for the project including a basic scope of services which is summarized in the cover memo for this discussion item. Mr. Lee asked if the study would produce a coverage map for the County. Mr. Stidham said that we would like to have the engineer assemble such a map but it may be difficult because coverage information for each provider is typically proprietary information. Mr. Turkel recommended that the members should read the minutes from the Subcommittee's last meeting as it contains a good summary of their thought processes behind the proposed ordinance changes.

Ms. Bouffault said that she spoke with Supervisor McKay about the proposed changes and that one of his concerns was that we ensure that any maximum tower height increase accounts for potential co-

location height increases to avoid triggering FAA lighting requirements. Mr. Stidham noted that Frank Stearns (attorney for Verizon Wireless) was present at the last Subcommittee meeting and opined that a co-location that triggers FAA lighting would constitute a “substantial modification” of the tower that would not be covered by the Federal co-location law. Mr. Stidham added that he would get Bob Mitchell’s opinion on this issue. Mr. Lee asked what height triggers the lighting requirement and Mr. Stidham replied 200 feet.

Old Business Items

None.

New Business Items

Mr. Stidham reviewed the draft work plans for the update of the Agricultural Land Plan, Waterloo Area Plan, and Double Tollgate Area Plan per the Commission’s project priority list. He noted that the Agricultural Land Plan Subcommittee would be a group of no more than 5 members with 2 members from the Agricultural & Forestal Advisory Committee participating in the effort. He said that Staff is recommending a single Subcommittee, consisting of either all Commission members or a combination of Commissioners and members of the Economic Development Advisory Committee, to work on both the Waterloo and Double Tollgate Area Plans. Mr. Stidham recommended conducting these plan reviews simultaneously.

Mr. Turkel noted that Staff also suggested having the Policy Committee serve as the Subcommittee for the Waterloo and Double Tollgate Area Plan updates, and he suggested that the composition of this Subcommittee should be resolved first so Policy Committee members would know if they are free to participate in the Agricultural Land Plan Subcommittee. Ms. Bouffault suggested reconstituting the Double Tollgate committee from 2012, stating that there were very specific issues discussed regarding water and wastewater. Mr. Turkel suggested that Vice-Chair Caldwell serve on the Subcommittee as she previously worked on the 2012 committee. Mr. Stidham suggested a three-person Subcommittee consisting of Ms. Bouffault and Vice-Chair Caldwell plus one additional member. Ms. Malone agreed to serve as the third member.


Mr. Stidham asked for volunteers to serve on the Agricultural Land Plan Subcommittee. Mr. Buckley, Mr. Turkel, and Ms. Bouffault agreed to serve and the members also agreed to invite two members of the AFD Advisory Committee to participate.

Mr. Stidham also distributed a chart depicting a draft schedule for reviewing and updating the County’s Comprehensive Plan and implementing component plans. He noted that items colored in yellow are scheduled to be reviewed in 2016.

Other Business

Mr. Stidham provided updates on the Telecommunications Subcommittee’s activities and the Berryville Area Plan update process.

The meeting was adjourned at 3:41PM.



George L. Ohrstrom, II, Chair



Brandon Stidham, Planning Director